

FILED BY Dg D.C.

05 JUN 20 PM 2:31

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Arg D.C.

2005 JUN 17 PM 3:31

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN. MEMPHIS

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN. MEMPHIS

Plaintiff,

VS.

NO: 05-20122-DV

BRENDA COLBERT,

Defendant.

MOTION TO CONTINUE

COMES NOW Defendant, Brenda Colbert, by and through his attorney of record, and moves this Honorable Court, pursuant to Rule 45 of the Federal Rules of Criminal Procedure, to continue the suppression hearing, which is set on June 20, 2005. In support thereof, Defendant would respectfully show as follows:

1. Defendant has entered into negotiations with the Government towards resolving this case.
2. A continuance is necessary to not only to allow for additional preparation but also to explore the extent of Defendant's negotiations with the Government.
3. If an acceptable resolution is agreed upon, the hearing on the Motion to Suppress will be unnecessary.
4. Assistant United States Attorney, Tom Colthurst, has been consulted with regarding this motion and does not oppose same.
5. The time period required to accomplish the foregoing is excludable under 18

MOTION GRANTEDDATE: 6-20-2005

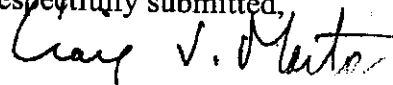
Bernice Bouie Donald
BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

32

U.S.C. §3161 (h) (8) (B) (iv); and (h) (2) - allow defense attorney time to prepare and for the purpose of allowing Defendant the opportunity to demonstrate good conduct.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully requests that this Honorable Court continue the present June 20, 2005 suppression hearing date, as good cause has been shown.

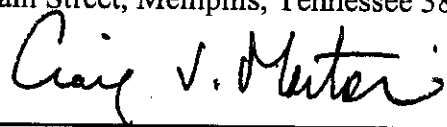
Respectfully submitted,



CRAIG V. MORTON (14969) ·
Attorney for Defendant
200 Jefferson Avenue, Suite 725
Memphis, TN 38103
(901) 522-0050

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was furnished to Tom Colthurst, Assistant United States Attorney at the Federal Office Building, 167 N. Main Street, Memphis, Tennessee 38103 on June 17, 2005.



CRAIG V. MORTON



Notice of Distribution

This notice confirms a copy of the document docketed as number 32 in case 2:05-CR-20122 was distributed by fax, mail, or direct printing on June 21, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT